

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

United States of America)

v.)

Leon Romel Irwin)

Date of Previous Judgment: April 24, 2002
(Use Date of Last Amended Judgment if Applicable)

) Case No: CR401-00259-001

) USM No: 10949-021

) Thomas A. Withers

) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 21

Amended Offense Level: 21

Criminal History Category: V

Criminal History Category: V

Previous Guideline Range: 70 to 87 months

Amended Guideline Range: 70 to 87 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.


☐ Other (explain):

III. ADDITIONAL COMMENTS: The amendment to the crack cocaine guideline does not result in a change to the defendant's advisory guideline range because the guideline computations as to his firearm offense of conviction were higher than the guideline computations as to his crack cocaine offense of conviction. The Court also recalls that this very youthful defendant had a particularly egregious criminal record.

Except as provided above, all provisions of the judgment dated April 24, 2002, shall remain in effect.

IT IS SO ORDERED.

Order Date: March 13, 2008


Judge's signature

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia

Effective Date: _____
(if different from order date)

Printed name and title

FILED
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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA